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SUBJECT: HAITI: IACHR ASSESSMENT ECHOES OUR HUMAN RIGHTS CONCERNS

1. Summary. The InterAmerican Commission on Human Rights (IACHR) recently concluded a mission to assess the human rights situation in Haiti in the run-up to elections this year. The Commission issued a release at a press conference on April 18 calling for greater action from the international community and the Haitian authorities to address the crucial issues of insecurity and the deficiencies of the justice system. An official report of their visit is forthcoming, but the Commission's initial assessment appears to be a balanced evaluation of the human rights situation in the country. It makes clear that the IGOH is not orchestrating human rights abuses, but calls on the Haitian authorities to do more to address violence and alleviate the backlog of prisoners awaiting trial. End Summary.

2. The IACHR conducted its first visit of the year to Haiti from April 18-22. The Commission met with President Alexandre and Prime Minister Latortue, judicial sector officials, the leadership of the Haitian National Police, the provisional electoral council, MINUSTAH officials, civil society members and NGOs. The Commission solicited and received a number of petitions from Haitians alleging human rights abuses. At the start of the visit, the Commission conducted a training seminar on the Inter-American human rights system for government officials and laid the groundwork for the establishment of an interministerial working group to coordinate the government's human rights responsibilities.

3. The Commission's stated focal area was the absence of control over security since its last visit to the country in September 2004. Members of the Commission cited information collected during and prior to this visit indicating thousands of weapons in the hands of illegally armed groups and gangs. It concluded that the lack of a comprehensive disarmament program and a severely understaffed and poorly-equipped police force helped create an environment where an estimated 600 people, including 19 police officers, had been killed in acts of violence since September 2004. That estimate comes from the Justice and Peace Commission which regularly surveys the hospitals and morgues to track violence-related deaths. The IACHR noted recent successes of MINUSTAH and HNP cooperation, but emphasized that those efforts need to be expedited and expanded to ensure that election preparations and the elections themselves succeed.

4. The Commission said that the security situation had been exacerbated by the poorly-functioning judicial system, citing the December 2004 prison riot and the February 2005 prison break as examples of the correlation. It stressed the obligation of the Haitian state to end impunity for human rights abuses by adhering to "fair and effective judicial procedures." Drawing on figures obtained from a November 2004 report of the Office of Human Rights Ombudsmen, the IACHR said that in the entire country, only 9 out of 1,054 inmates had been convicted of a crime. The Commission called for the government to take urgent measures necessary to guarantee the right to due process for all detained persons and to have the cases judicially reviewed in accordance with domestic and international law.

5. The IACHR noted that the volatile security situation continues to pose dangers for human rights defenders and members of the media and urged the Haitian government to take concrete steps to prevent acts of this nature, including the investigation and prosecution of complaints of such acts. The Commission commended the national dialogue process and urged Haitians from all political groups to move beyond confrontation and toward reconciliation for the future of the country. The Commission also mentioned that civil and political rights for all Haitians cannot be achieved until the social and economic problems of the country, like poverty and illiteracy, are addressed.

6. Comment: The initial report of the IACHR's mission to Haiti paints a fair and accurate picture of the current human rights situation. The Commission correctly lays no blame on the state for orchestrating abuses, but does implicitly criticize the government for not doing more to prevent, investigate, and especially prosecute acts committed in the country, regardless of the perpetrator. The Commission's findings parallel our approach on the human rights front and

we will continue to press the IGOH to make advances on security and judicial reform.
FOLEY